IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH

AT HYDERABAD

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No. 26805 of 2005

Dated : 15.12.2005

Between:

Shaik Chand Basha

.. Petitioner

And

The Principal Secretary,

Wakf & Minority Department,

Govt. of A.P., Secretariat, Hyderabad

and others.

.. Respondents

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No. 26805 of 2005

ORDER:

Heard the learned counsel for petitioner and the learned counsel appearing for respondents.

It is stated that pursuant to the representation made by the petitioner to the District Wakf Officer and District Revenue Officer, Prakasam district requesting for appointment as Qazi in Kandukur Town and Division for performing marriages and religious duties, the said Wakf Officer by his proceedings dated 20.5.2005 requested the fourth and fifth respondents herein to enquire into the matter and submit a detailed report regarding the eligibility, lineage etc., along with all other certificates for taking further action. Since there was no response, the petitioner made a representation to the fifth respondent stating that as per the orders of the Government in G.O.Ms.No. 37 dated 10.11.2002 he is entitled to be appointed as Qazi and therefore requested the fifth respondent to appoint him as Qazi. The fifth respondent forwarded the said representation of the petitioner to the Mandal Revenue Inspector for enquiry and report compliance.

The learned Standing Counsel for second respondent-A.P. Wakf Board submits that the first respondent is the competent authority to appoint the petitioner and admittedly no representation is made to the first respondent, therefore, the question of considering the application of the petitioner for appointment as Qazi does not arise.

In view of the aforesaid facts, as no proper application has been filed before the first respondent who is the competent authority, no relief can be granted in this writ petition.

The writ petition is therefore, dismissed. No costs.

However, it is open to the petitioner to make an application before the appropriate competent authority for appointment as Qazi.

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V.ESWARAIAH, J

Date: 15.12.2005

DA

THE HON'BLE SRI JUSTICE V.ESWARAIAH

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